IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION NO : 11543 of 2001

Between:

P.Narayana Swamy, President,
Labour Liberation Front, Mahaboobnagar,
Mahaboobnagar District.

..... PETITIONER

AND

1. The Principal Secretary (Labour & Employment Dept) Govt. of A.P., Secretariat, Hyderabad.
2. The District Collector,
Srikakulam District, Srikakulam.
3. The District Collector,
Vijayanagaram, Vijayanagaram Dist
4. The District Collector,
Vishakapatnam District, Vishakapatnam.
5. The Commissioner of Labour & Employment, Govt. of A.P
Hyderabad .
6. The District Collector,
East Godavari District, Kakinada.
7. The District Collector, West Godavari District,
Eluru.
8. The District Collector, Krishna District,
Machilipatnam .
9. The District Collector, Guntur District

Guntur.
10. The District Collector, Prakasam District,
Ongole.
11. The District Collector, Nellore District,

Nellore.
12. The District Collector,
Chittoor District, Chittoor.
13. The District Collector,
Ananthapur District, Ananthapur.
14. The District Collector,
Cuddapah District, Cuddapah.
15. The District Collector,
Kurnool District, Kurnool.
16. The District Collector,
Mahubub Nagar District, Mahubub Nagar.
17. The District Collector,
Medak District, Medak.
18. The Dist Collector
Hyderabad District, Hyderabad.
19. The District Collector,
Ranga Reddy District, Lakdika Pool Hyderabad.
20. The District Collector,
Nizamabad District, Nizamabad.
21. The District Collector,
Adilabad District, Adilabad.
22. The District Collector,
Karimnagar District, Karimnagar.
23. The District Collector,
Nalgonda District, Nalgonda.
24. The District Collector,
Warangal District, Warangal.
25. The District Collector,
Khammam District, Khammam.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that for the reasons stated in the Petition dated: 24,.4.2001 the High Court will be pleased to issue an order, direction or a writ, more particularly, in the nature of writ of mandmus, after calling for the connected records and remarks from the respondents herein and in connection to : "Non- prosecution of Employers u/s 16 or 17 or 18, 19and 20 of the Bonded Labour system (Abolition) Act, 1976 by the A.P State Govt. who engaged 37,605 labourers and who were identified as bonded labourers by the Govt of A.P in a report submitted to the National Human Rights Commission and Supreme Court Of India due to which (Non -Prosecution of employers) the bonded labour system is going on increasing day by day and to pass appropriate orders in the matter against the State Government of Andhra Pradesh and as well as 23 District Collectors in the State and Chief Secretary to the Govt. of Andhra Pradesh for failing to do their duties in the interests of justice;".

Counsel for the Petitioner: TAKEN-UP PETITION

Counsel for the Respondents: GP FOR SOCIAL WELFARE.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

This is a taken-up Writ Petition as regards non-prosecution of the employers under Sections 16, 17, 18, 19 and 20 of the Bonded Labour System (Abolition) Act, 1976 by the Government. On 29.11.2001, a detailed order was passed calling upon Respondent No.1 to file further affidavit giving all the details in regard to the prosecution already initiated and the Deputy Secretary to Government filed the affidavit narrating the steps taken for effective implementation of the Scheme for rehabilitation of bonded labour and that District Level Vigilance Committees have been formed in 19 Districts and they are yet to be formed in four districts. Affidavit furnished details of the prosecution in each District. Affidavit further stated that the Government is committed to eradicate bonded labour system and adequate instructions were issued to take up the matter expeditiously. Further affidavit was required to be filed, which has now been filed stating that in Anantapur, 51 prosecutions were launched, in Nizamabad, 36 prosecutions were launched and, prosecutions were also launched in Karimnagar, Mahaboobnagar and East Godavari. In the remaining districts, no prosecution was launched.

In view of the undertaking by the State Government on the affidavit of the Deputy Secretary to Government, Social Welfare Department that wide publicity is given about the evil system and to educate public about the consequences of the practice of bonded labour and that prosecution has been launched, no further direction deserves to be issued. The Writ Petition stands closed. No costs.

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DEVINDER GUPTA, C.J.

23.8.2004.

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C.V.RAMULU, J.

VR.

To

1. The Principal Secretary to Govt. of A.P., (Labour & Employment Dept),
Secretariat, Hyderabad.
2. The District Collector,
Srikakulam District, Srikakulam.
3. The District Collector,
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24. The District Collector,
Warangal District, Warangal.
25. The District Collector,
Khammam District, Khammam.

26. The Special Officer, Public Interest Litigation Cell,

High Court Buildings, Hyderabad.

27. The Secretary, A.P. State Legal Aid and Advisory Board,

High Court Buildings, Hyderabad.

28. The Secretary to Government of A.P., Home Department,

Secretariat, Hyderabad.

29. The Section Officer, Legal Aid, High Court Bldgs., Hyderabad.

30. Two CCs to Govt. Pleader for Social Welfare, High Court Buildings, Hyderabad (OUT).

31. Two CD copies.